IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 21643 of 2004

Between:

Kunarapu. Lasmaiah, S/o.Lachaiah,
Village: Shetipally, Mandal Jaipur, Adilabad District.

..... PETITIONER

AND

1 The Mandal Revenue officer, Jaipur Mandal, Adilabad District.
2 The Grampanchayath, Shetipally Village, Jaipur Mandal, Adilabad District.,rep.by village Secretary.
3 The Sarpanch, Shetipally Village, Jaipur Mandal, Adilabad District.
4 Komuravelli pavan, S/o.Satyanarayana,
R/o. Shetipally Village, Jaipur Mandal, Adilabad District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of the respondents No.1 to 3 in not taking any action regarding the illegal construction being done by the respondent No.4 and without any permission in the land admeasuring one and half gunta in Sy.NO.84 of shetipally village of Jaipur Mandal, Adilabad District and not considering the request of the petitioner for allotting the said land in his favour on payment of the market value basing on the representation filed on 17-11-2004, is illegal, arbitrary, null and void and violative of the provisions of the A.P.Panchayath Raj Act and also violative of the Articles 14, 19 and 21 of the constitution of India, consequently direct the respondents No.1 to 3 to consider the representation of the petitioner and take necessary action against the respondent No.4 regarding the illegal construction being done by him in the land admeasuring one and half gunta in sy.No.84 in Edari colony of shetipally village of Jaipur

Mandal, Adilabad District and consider the request of the petitioner for allotting the said land in his favour on payment of the market value.

Counsel for the Petitioner: MR.C.HARI PREETH

Counsel for the Respondents: GP FOR REVENUE for R-1

Mr.P.V.Srinivasa Rao for R-4

Smt. Jyothi Eswar for RR 2 & 3

The Court made the following :

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O R D E R:

Heard the learned counsel for the petitioner and also Smt. Jyothi Eswar, learned counsel appearing for respondents 2 and 3 and Sri P.V. Srinivasa Rao, learned counsel for the 4th respondent.

As can be seen from the material on record, the only grievance of the petitioner appears to be that respondents 1 and 3 failed to take any action regarding the alleged illegal constructions being made by the 4th respondent in the land situate in Sy.No.84 of Shetipalli village of Jaipur Mandal, Adilabad District. The petitioner states that he has made a representation before the 2nd respondent on 17-11-2004 and the same is kept pending and no orders have been passed so far.

Having regard to the facts and circumstances of the case and particularly keeping in view that the representation made by the petitioner is pending before the 2nd respondent, without going into merits of the case, the writ petition is disposed of with a direction to the 2nd respondent to consider the representation of the petitioner dated 17-11-2004 and pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

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G. ROHINI, J.

Dated 19th January, 2005.

BJ/

To

1 The Mandal Revenue officer, Jaipur Mandal, Adilabad District.
2 The Grampanchayath, Shetipally Village, Jaipur Mandal, Adilabad District.,rep.by village Secretary.
3 The Sarpanch, Shetipally Village, Jaipur Mandal, Adilabad District.
4 Komuravelli, pavan, S/o.Stayanarayana,
R/o. Shetipally Village, Jaipur Mandal, Adilabad District.

5. Two CCs. to G.P. for Revenue, High Court Bldgs, Hyd (O.U.T)

6. Two C.D. copies.